

**CITY OF MAPLE VALLEY, WASHINGTON
ORDINANCE NO. O-20-686**

**AN ORDINANCE OF THE CITY OF MAPLE VALLEY,
WASHINGTON, TO EXTEND A DEVELOPMENT MORATORIUM
IN THE AREA PLANNED FOR THE CITY'S DOWNTOWN AND
SHOWN ON EXHIBIT A FOR A PERIOD OF SIX MONTHS,
PROVIDING FOR EFFECTIVE DATE, HEARING AND
SEVERABILITY.**

WHEREAS, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose a moratorium to be effective for a period of up to six months, and for six-month intervals thereafter; and

WHEREAS, the City of Maple Valley held a series of visioning exercises to identify the City's Downtown Area as well as establish a vision for the future of a Maple Valley Downtown; and

WHEREAS, the City Council recently took action to identify a particular subset of the larger property considered during the visioning exercises as the future location of its Downtown; and

WHEREAS, the property identified by the City Council as a potential location of its Downtown is shown on Exhibit A hereto; and

WHEREAS, the City of Maple Valley has an interest in preserving the identified area for future downtown development that is consistent with its planning goals; and

WHEREAS, the City of Maple Valley has begun the Downtown Visioning, planning, and analysis with a particular focus on the area shown on Exhibit A in order to establish rules and regulations, including but not limited to possible zoning map amendments, that will bring forth the desired development of the Downtown area; and

WHEREAS, the City of Maple Valley Planning Commission held a public hearing regarding this moratorium on September 18, 2019; and

WHEREAS, the City of Maple Valley City Council wishes to extend the development moratorium in the area identified in Exhibit A, attached, for a six-month period, with the possibility of extending the moratorium by a subsequent ordinance depending on the planning progress made at that time;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Moratorium Imposed. The City Council hereby imposes an immediate six-month moratorium on the acceptance of all development permit applications, including but not limited to building permit applications and site development permit applications, affecting any portion of the property identified on the map shown on **Exhibit A**, which is attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Effective Period of Moratorium. This ordinance shall be effective immediately and shall continue in effect for a period of six months, until July 6, 2020, unless earlier repealed, renewed, or modified by the City Council as provided by State law.

Section 3. Hearing. In accordance with the requirements of State law, a public hearing on this moratorium will be held within sixty (60) days of the adoption of this ordinance.

Section 4. Severability. If any section, sentence, or phrase of this ordinance should be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, or phrase of this ordinance.

Section 5. Declaration of Emergency. The City Council hereby declares that an emergency exists necessitating that this Ordinance take effect immediately upon passage by a majority vote plus one of the whole membership of the Council, and that the same is not subject to a referendum (RCW 35A.12.130). Without an immediate moratorium on the City's acceptance of development permit applications, such applications could become vested, leading to the development of property that could conflict with the City's goals of developing a downtown. Therefore, the moratorium must be imposed as an emergency measure to protect the public health, safety and welfare, and to prevent the submission of applications to the City in an attempt to vest rights for an indefinite period of time. This Ordinance does not affect any existing vested rights.

Section 6. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 7. Effective Date. This Ordinance shall take effect and be in full force and effect immediately upon passage, as set forth herein, as long as it is approved by a majority plus one of the entire membership of the Council, as required by RCW 35A.12.130.

ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THIS 6th DAY OF JANUARY 2020.

Sean P. Kelly, Mayor

ATTEST:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Patricia Taraday, City Attorney

Date of Publication: January 10, 2020
Effective Date: January 15, 2020